

[3270]

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

TUESDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND TWENTY ONE

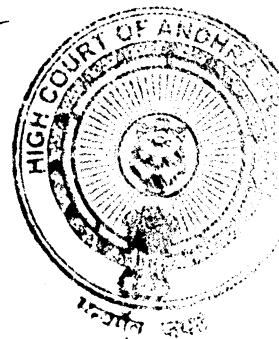
: PRESENT:

THE HONOURABLE SRI JUSTICE JOYMALYA BAGCHI,

AND

THE HONOURABLE SRI JUSTICE A V SESA SAI,

WRIT PETITION NO: 5559 OF 2021



Between:

M/s S.P.Y. Agro Industries Limited, New Industrial Estate, Udumalpuram Village, Nandyal, Kurnool District, Andhra Pradesh - 518502 Represented by its Director Smt. S. Sujala, W/o. Sreedhar Reddy, aged about 42 years.

Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Spl Chief Secretary, Revenue and Excise Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Commissioner of Excise and Prohibition, Government of Andhra Pradesh. Sy No. 88/26 , Poultry Farm Road, SER Centre, Prasadampadu Vijayawada - 521108.
3. The Commissioner of Distilleries and Breweries, Andhra Pradesh, Amaravathi, Vijayawada.
4. The Principal Secretary to Government of Telangana Revenue (Excise), Department Telangana Secretariat, Hyderabad

Respondents

WHEREAS the Petitioner above named through its Advocate SRI PAREDDY ROSI REDDY presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction particularly in the nature of Writ of MANDAMUS declaring the communication of the 1st respondent dated 15-11-2016 in Ref. No. 31024/93/2016-EXC.II-2 based upon the memo of the Government as illegal, arbitrary and opposed to Section 56 of A.P. Reorganization Act 2014 and consequently to set aside the direction to the extent of limiting the payment of excess amount due to the Petitioner to the extent of 58.32 percent instead of the whole amount and directing the 4th respondent to pay the balance amount and consequently to direct the respondents 1 to 3 to pay the balance amount of Rs. 2,50,08,000/- payable to the Petitioner in terms of Section 56 of A.P. Reorganization Act 2014 along with interest at the rate of 24 percent from 15-11-2016 onwards till payment.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri PAREDDY ROSI REDDY Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Special Chief Secretary, Revenue and Excise Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Commissioner of Excise and Prohibition, Government of Andhra Pradesh. Sy No. 88/26 , Poultry Farm Road, SER Centre, Prasadampadu Vijayawada - 521108.
3. The Commissioner of Distilleries and Breweries, Andhra Pradesh, Amaravathi, Vijayawada.
4. The Principal Secretary to Government of Telangana Revenue (Excise), Department Telangana Secretariat, Hyderabad

are directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted, on or before 06-04-2021, on which date the case stands posted for hearing.

The Court made the following:

ORDER:

"Notice before admission.
Post on 6.4.2021".

//TRUE COPY//

Sd/-M.RameshBabu
ASSISTANT REGISTRAR
SECTION OFFICER

For /

To,

1. The Special Chief Secretary, Revenue and Excise Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Commissioner of Excise and Prohibition, Government of Andhra Pradesh. Sy No. 88/26 , Poultry Farm Road, SER Centre, Prasadampadu Vijayawada - 521108.
3. The Commissioner of Distilleries and Breweries, Andhra Pradesh, Amaravathi, Vijayawada.
4. The Principal Secretary to Government of Telangana Revenue (Excise), Department Telangana Secretariat, Hyderabad (Addresses 1 to 4 by RPAD- along with a copy of petition and memorandum of grounds)
5. One CC to SRI PAREDDY ROSI REDDY Advocate [OPUC]
6. Two spare copies

HIGH COURT

**JBJ
&
AVSSJ**

DATED:09/03/2021

POST ON 06-04-2021

NOTICE BEFORE ADMISSION

WP.No.5559 of 2021

